Anno Regni GEORGII II.

REGIS

Magnæ Britanniæ, Franciæ, & Hiberniæ,

VICESIMO SEXTO.

At the Parliament begun and holden at *Weſtminſter*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty firſt Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

And from thence continued by ſeveral Prorogations to the Eleventh Day of *January*, 1753, being the Sixth Seſſion of this preſent Parliament.

LONDON:

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Anno viceſimo ſexto

Georgii II. Regis.

An Act for continuing ſeveral Laws relating to the Puniſhment of Perſons going armed or diſguiſed in Defiance of the Laws of Cuſtoms or Exciſe; to the Drawback of the Duties upon Copper Bars exported; and to the Duties upon Foreign-made Sail Cloth; and alſo for Encouragement of the Silk Manufactures; and for taking off ſeveral Duties on Merchandizes exported; and for encouraging the Trade of the Sugar Colonies in *America;* and for vacating the Security for the Duty on Salt loſt in any River, or in Port, after ſhipped; and for enlarging the Time for proving the Loſs of Salt; and for Relief of Maſters of Ships with Reſpect to the Importation of Soap and Candles, contrary to an Act made in the Twenty third Year of His Majeſty's Reign; and alſo for the more effectual Payment of the Bounties upon *Britiſh*-made Sail Cloth; and to impower the Commiſſioners of the Treaſury to direct the Payment of the Bounty to *John Henniker,* and others, upon Four Ships fitted out for the Whale Fiſhery, and loſt in the *Greenland* Seas; and alſo to *Philip How,* and others, upon Two Ships

employed in the said Fishery, notwithstanding some of the Forms required by Law in fitting out such Ships, were not complied with.

Preamble.

WHEREAS several Laws herein after mentioned, have by Experience been found useful and beneficial, and are near expiring; May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act made in the Nineteenth Year of his present Majesty's Reign, intituled, An Act for the further Punishment of Persons going armed or disguised in Defiance of the Laws of Customs or Excise; and for indemnifying Offenders against those Laws upon the Terms in this Act mentioned; and for the Relief of Officers of the Customs in Informations upon Seizures; which Act was to continue in Force for the Space of Seven Years, and from thence to the End of the next Session of Parliament, as relates to the further Punishment of Persons going armed or disguised in Defiance of the Laws of Customs or Excise; and to the Relief of Officers of the Customs in Informations upon Seizures, shall be, and the same is hereby further continued, from the Expiration thereof, until the Twenty fourth Day of June, One thousand seven hundred and fifty eight, and from thence to the End of the then next Session of Parliament.

Clause in Act 19 *Geo.* II. further continued to 24 *June*, 1758.

Clause in Act 9 & 10 *Will.* III.

And be it further enacted by the Authority aforesaid, That the Clause contained in an Act made in the Ninth and Tenth Years of the Reign of his late Majesty King William the Third, intituled, An Act to settle the Trade to *Africa*, for allowing during a limited Time a Drawback of the Duties upon the Exportation of Copper Bars imported; and which Clause after the Expiration thereof, was by an Act made in the Twelfth Year of the Reign of her late Majesty Queen Anne, revived and continued for Fourteen Years, and from thence to the End of the then next Session of Parliament; and also the Proviso in the said last Act contained, that no Drawback shall be allowed

and the Proviso in the Act of 12 *Annæ*,

on the Exportation of any Copper but such as had been, or should be imported from the East Indies and the Coast of Barbary only; and which said Clause and Proviso by another Act made in the Thirteenth Year of the Reign of His late Majesty, were further continued for Fourteen Years, and from thence to the End of the then next Session of Parliament; and which said Clause and Proviso by another Act made in the Fifteenth and Sixteenth Years of His present Majesty's Reign, were further continued for Fourteen Years, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the Twenty fourth Day of June, One thousand seven hundred and fifty eight, and from thence to the End of the then next Session of Parliament. further continued to 24 *June*, 1758.

And be it further enacted by the Authority aforesaid, That an Act made in the Nineteenth Year of His present Majesty's Reign, intituled, An Act for the more effectual securing the Duties now payable on Foreign-made Sail Cloth imported into this Kingdom; and for charging all Foreign-made Sails with a Duty; and for explaining a Doubt concerning Ships being obliged, at their first setting out to Sea, to be furnished with One compleat Set of Sails made of *British* Sail Cloth; which was to continue in Force from the Twenty fourth Day of June, One thousand seven hundred and forty six, for the Term of Seven Years, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the Twenty fourth Day of June, One thousand seven hundred and fifty eight, and from thence to the End of the then next Session of Parliament. Act 19 *Geo.* II. continued to 24 *June*, 1758.

And be it further enacted by the Authority aforesaid, That the several Clauses contained in an Act made in the Eighth Year of the Reign of His late Majesty, intituled, An Act for Encouragement of the Silk Manufactures of this Kingdom; and for taking off several Duties on Merchandizes exported; and for reducing the Duty upon Beaver Skins, Pepper, Mace, Cloves, and Nutmegs imported; and for the Importation of all Furs of the Product of the *British* Plantations into this Kingdom only; and that the Two Corporations of Assurance, on any Suits brought on their Policies, shall be liable only to single Damages and Costs of Suits relating to the Encouragement of the Silk Manufactures of this Kingdom; and for taking off several Duties on Merchandizes exported; which were to continue in Force for Three Years from the Twenty fifth Day of March, One thousand seven hundred and twenty two; and Clauses in Act 8 *Geo.* I. further continued to 24 *March*, 1758.

from thence to the End of the then next Session of Parliament; and which Clauses were, by an Act made in the Eleventh Year of His said late Majesty's Reign, continued from the Expiration thereof for Three Years, and from thence to the End of the then next Session of Parliament; and by another Act made in the Second Year of His present Majesty's Reign, were further continued, from the Expiration thereof, for Three Years, and from thence to the End of the then next Session of Parliament; and by another Act made in the Second Year of His present Majesty's Reign, were further continued, from the Expiration thereof, until the Twenty ninth Day of September, One thousand seven hundred and thirty four, and from thence to the End of the then next Session of Parliament; and which, by another Act made in the Eighth Year of His present Majesty's Reign, were further continued until the Twenty fifth Day of March, One thousand seven hundred and forty two, and from thence to the End of the then next Session of Parliament; and which, by an Act made in the Fifteenth Year of the Reign of His present Majesty, were further continued until the First Day of June, One thousand seven hundred and forty seven, and from thence to the End of the then next Session of Parliament; and which, by an Act made in the Twentieth Year of the Reign of His present Majesty, were further continued until the First Day of June, One thousand seven hundred and fifty four, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the Twenty fourth Day of March, One thousand seven hundred and fifty eight, and from thence to the End of the then next Session of Parliament.

Act 6 *Geo.* II. continued to 24 *June*, 1756.

And be it further enacted by the Authority aforesaid, That an Act made in the Sixth Year of the Reign of His present Majesty, intituled, An Act for the better securing and encouraging the Trade of His Majesty's Sugar Colonies in *America*, which was to continue in Force for Five Years, to be computed from the Twenty fourth Day of June, One thousand seven hundred and thirty three, and to the End of the then next Session of Parliament; and which, by an Act made in the Eleventh Year of His present Majesty's Reign, was further continued, from the Expiration thereof, for the further Term of Seven Years, and from thence to the End of the then next Session of Parliament; and which, by an Act made in the Nineteenth Year of His present Majesty's Reign, was further continued, from the Expiration of the said last mentioned Term, for the further Term of Seven Years, and from

thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the Twenty fourth Day of June, One thousand seven hundred and fifty six.

And whereas by an Act passed in the Second and Third Years of the Reign of Her late Majesty Queen Anne, intituled, An Act for the better securing and regulating the Duties upon Salt) it is enacted, That where any Salt or Rock Salt (the Duties whereof shall have been paid, or secured to be paid, according to the Direction of the former Laws relating to the said Duties on Salt) shall be shipped or laid on Board any Ship or Vessel in any Port, River, or Place, within the Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, in order to be exported to Parts beyond the Seas, or be carried Coastwise; and the said Salt or Rock Salt so shipped or laid on Board, shall happen to perish by the Sinking of the Ship or Vessel on which the same shall be shipped or laid on Board, before the said Ship or Vessel shall go out of such Port or Place, and before the Exporter of such Salt shall be intitled to a Drawback or Allowance of the Duties thereof, that then and in such Case the Exporter or Proprietor of the said Salt or Rock Salt so perished, shall, upon Proof made before the Justices of the Peace, at the next General Quarter Sessions of the Peace to be held for the County, City, Riding, Division, or Place, next to the Place where the said Salt or Rock Salt shall so perish, of the Loss of the Salt or Rock Salt so shipped, receive from the said Sessions, a Certificate that such Proof was made before them; and upon producing the said Certificate to any of Her Majesty's Collectors or Officers appointed to collect the said Duties on Salt, the said Collectors and Officers are thereby required to let the said Exporter or Proprietor buy the like Quantity of Salt or Rock Salt as is expressed in the said Certificate to be so perished, without paying to Her Majesty any Duty of Excise for the same, in the same Manner as if such Salt or Rock Salt had so perished, going Coastwise from One Port of England to another: And whereas by an Act made in the Eighth Year of the Reign of His Majesty King George the First, intituled, An Act for taking off the Duty upon all Salt used in the curing of Red Herrings, and laying a proportionable Duty upon all Red Herrings consumed at Home only; and for ascertaining the Customs and Excise, payable for the Sugar Houses in *Scotland*; and for making an Allowance for Salt lost in any Harbour or River of this Realm; and for the better securing the Duties on Salt delivered in *Scotland*, it

Clauses in Act 2 and 3 *Anne*,

and 8 *Geo. I.*

it is among other Things enacted, That the Owners of any Salt, which after due Payment of the Duty, shall perish or be lost in any of the Ports or Harbours, or Rivers of this Realm, by Storms or Rages of the Tides from Sea, or otherwise, shall upon such Proofs made thereof in all Points, and in Manner as is directed by the afore-mentioned Act of the Second and Third Years of the Reign of Her late Majesty Queen Anne, (that gives Relief in Cases of Salt lost by violent or stormy Weather at Sea) be intitled to such Certificate, and thereupon to such Right and Privilege as any Owners of the like Salt lost at Sea, in the like Case are intitled to by virtue of the said Act, which Privilege is to buy the like Quantity of Salt as is expressed in the Certificate to be lost, without paying to His Majesty, any Duty of Excise for the same: And whereas the Exporters of Salt to Foreign Parts, do give Bond for the Duty of the same, which Bond is discharged by a Debenture upon the Exportation thereof, but in such Cases where the Salt is lost in carrying the same down the River in order to be shipt on Board the Vessel in which the same is to be exported, or lost in the Port after the same is shipped, and before the Exporter is or can be intitled to a Debenture, the Exporter or Owner of the Salt so lost, upon Proof thereof in Manner as directed by the afore recited Acts, obtains a Certificate of such Proof being made, which Certificate intitles him by the said Acts, to buy the like Quantity of Salt as is expressed therein to have been lost, without paying any Duty for the same, but cannot be applied to the Discharge of the Bond given for the Duty of the Salt lost, the Exporter therefore must discharge the Bond in Money without any Abatement, and when he has so done, he cannot export the Salt delivered him Duty-free, so as to be intitled to a Drawback thereupon, but must sell it for Home Consumption greatly to his Disadvantage, as the Dealers in Salt for Home Consumption have a Discount on prompt Payment of the Duty, and an Allowance for Waste on Salt carried Coastwise: For Remedy whereof be it enacted by the Authority aforesaid, That where any Salt or Rock Salt hath been lost or shall be lost, in carrying the same down any River, in order to be shipt on Board the Vessel, in which the same is to be exported, or hath been or shall be lost in the Port after the same is shipt, and before the Exporter is or can be intitled to a Debenture, and Proof thereof hath been or shall be made in all Points, and in Manner as directed by the afore recited Acts, then and in every such Case, the Certificate or Certificates for all such

Certificate for Salt lost, to vacate the Security given for Payment of the Duty.

Salt or Rock Salt that hath been lost or shall be lost, shall and may be applied by the Collector of the Duties on Salt, for the Place where the Duty on such Salt or Rock Salt hath been or shall be secured to be paid, to discharge and vacate the Security given or to be given, for the Duty of so much Salt as shall appear by such Certificate to have been lost; any thing in the said in part recited Acts, or any other Act to the contrary in any wise notwithstanding.

Clause in Act 4 & 5 *Anne*.

And whereas by an Act passed in the Fourth and Fifth Years of the Reign of Her late Majesty Queen Anne, intituled, An Act for laying further Duties on Low Wines; and for preventing the Damage to Her Majesty's Revenue by Importation of Foreign-cut Whalebone; and for making some Provisions as to the Stamp Duties, and the Duties on Births, Burials, and Marriages, and the Salt Duties, and touching Million Lottery Tickets; and for enabling Her Majesty to dispose of the Effects of *William Kidd* a notorious Pirate, to the Use of *Greenwich* Hospital; and for appropriating the Publick Monies granted in this Session of Parliament; it is enacted, That the Exporter or Proprietor of Salt or Rock Salt which shall perish or be lost in the Manner described in the said Act, shall, upon Proof made before the Justices of the Peace at the General Quarter Sessions of the Peace, to be held for the County, City, Riding, Division, or Place, from whence the same was so exported, of the Loss of such Salt so shipped or to be shipped, receive from the said Sessions a Certificate that such Proof was made before them; and upon producing the said Certificate to the Officer of the Place where the Duty on such Salt shall have been paid or secured to be paid, such Security shall be discharged, and so much Money as was actually paid for the Duty of the said Salt, shall be repaid upon Demand by the said Officer, without Fee or Reward, provided such Proof be made as aforesaid by Two credible Witnesses, within Six Months after such Loss or taking as aforesaid: And whereas the making such Proof as aforesaid, within the Time limited by the said Act has, in many Cases, been found impracticable, by reason of the Shortness of the said Time; be it therefore enacted by the Authority aforesaid, That the Time for making such Proof as aforesaid, shall, from and after the passing of this Act, be enlarged to Two Years; any thing in the said Act to the contrary notwithstanding.

Time for making Proof of Salt lost, in order to obtain a Certificate, enlarged to Two Years.

And whereas by an Act made in the Twenty third Year of His present Majesty's Reign, for enforcing the Laws against the clandestine Importation of Soap, Candles, and Starch, into this Kingdom, a Penalty of Fifty Pounds

Clause in Act 23 *Geo.* II.

is laid upon the Master, Mate, or other Person taking the Charge or Command of any Ship or Vessel wherein any Candles, Soap, or Starch, shall be brought or imported contrary to the said Act; and Power is given to the Commissioners of Excise and Justices of the Peace before whom any Informations for the Penalties imposed by the said Act shall be heard and determined, to mitigate the same where they shall see Cause, so as such Mitigation do not reduce the Penalty to less than One Fourth Part thereof, over and above the Costs and Charges of the Officers, as well in making the Discovery, as in the Prosecution of the same: And whereas the Masters or other Persons having the Charge of Ships or Vessels, are liable to the Penalty inflicted by the said Act for importing Candles, Soap, or Starch, otherwise than by the said Act is prescribed, although such Candles, Soap, or Starch, were put on Board without the Knowledge or Privity of such Masters or other Persons aforesaid, by the Mariners serving on Board such Ships or Vessels; and it is reasonable that such Masters or other Persons should be indemnified against the Penalty to which they are by the said Act made liable, for the Offences committed by the said Mariners; be it therefore enacted by the Authority aforesaid, That when any Information shall be brought against the Master, Mate, or other Person, having the Charge of any Ship or Vessel, for Recovery of the Penalty inflicted by the said Act, for importing Candles, Soap, or Starch, otherwise than by the said Act is prescribed; it shall be lawful for such Master, Mate, or other Person, to stop and detain the Wages of the Mariners and Men serving on Board such Ship or Vessel, until such Information shall be heard and determined; and if upon the Hearing and Determination thereof, it shall appear that such Candles, Soap, or Starch, were put on Board such Ship or Vessel by any of the Mariners or Men serving therein, without the Knowledge or Privity of the Master, Mate, or other Person, having the Charge of such Ship or Vessel, it shall be lawful for such Master, Mate, or other Person aforesaid, to keep and retain in his Hands so much of the Wages of the Mariners and Men serving on Board such Ship or Vessel, who shall be found guilty of or privy to such Offence, as will be sufficient to answer and satisfy the Penalty inflicted upon such Master, Mate, or other Person aforesaid, who shall be and is hereby indemnified for so doing.

Upon Information brought for Recovery of the Penalty inflicted by the recited Act, the Wages of the Mariners to be detained, till the same shall be determined,

and upon Conviction, to be applied in Payment of the Forfeiture.

Proviso in Act 23 *Geo.* II.

And whereas the Provision contained in an Act made in the Twenty third Year of the Reign of His present Majesty for the due and regular Payment of the Bounties granted

granted upon the Exportation of Britiſh-made Sail Cloth has proved ineffectual; be it therefore enacted by the Authority aforeſaid, That the Bounties due ſince the Firſt of June, One thouſand ſeven hundred and fifty (being the Commencement of the ſaid Proviſion) and which ſhall hereafter become due on the Exportation of Britiſh-made Sail Cloth, inſtead of being paid in the Manner in the ſaid Act directed, ſhall be, and the ſame are hereby charged upon, and ſhall be paid out of ſuch Parts of the Old Subſidy as are applicable to the Payment of Incidents.

The Bounties thereby due charged on the Old Subſidy, applicable to Payment of Incidents.

And whereas by Two Acts of Parliament made in the Sixth and Twenty ſecond Years of the Reign of his preſent Majeſty, for the Encouragement of the Whale Fiſhery carried on by His Britiſh Majeſty's Subjects, a Bounty of Forty Shillings per Ton, under certain Regulations mentioned in the ſaid Acts, is to be paid by the Receiver General of the Cuſtoms to the Maſter or Owners of Ships employed in the Whale Fiſhery in the Greenland Seas or Davis's Streights, on their Return to this Kingdom: And whereas John Hennicker, Henry Bird the Elder, Henry Bird the Younger, and Conrad Lang, of London, Merchants, did fit out in the Year One thouſand ſeven hundred and fifty two, Four Ships, called the Merry Jacks, Sword Fiſh, Revolution, and Neptune, for the Whale Fiſhery in the Greenland Seas, in the Manner preſcribed and appointed by the ſaid Acts, and which ſaid Ships were actually employed in the ſaid Fiſhery, but were unavoidably loſt in the ſaid Seas; be it therefore enacted by the Authority aforeſaid, That the Commiſſioners of His Majeſty's Treaſury for the time being, or any Three of them, ſhall be, and they are hereby impowered to direct, if they think fit, the Payment of the Bounties which the ſaid John Hennicker, Henry Bird the Elder, Henry Bird the Younger, and Conrad Lang, would have been intitled to in caſe the ſaid Ships had returned to this Kingdom; any thing in the ſaid Two ſeveral Acts contained to the contrary notwithſtanding.

Clauſes in Acts 6 & 22 *Geo* II.

Commiſſioners of the Treaſury impowered to direct the Bounties granted by the recited Acts, to be paid to *John Hennicker*, Meſſ. *Birds*, and *Conrad Lang*,

And whereas by Two Acts of Parliament made in the Sixth and Twenty ſecond Years of the Reign of his preſent Majeſty for the Encouragement of the Whale Fiſhery carried on by His Britiſh Majeſty's Subjects, a Bounty of Forty Shillings per Ton, under certain Regulations mentioned in the ſaid Acts, is to be paid by the Receiver General of the Cuſtoms to the Maſter or Owners of Ships employed in the Whale Fiſhery in the Greenland Seas or Davis's Streights, on their Return to this Kingdom: And whereas Phillip How, on the Behalf of himſelf and ſeveral other Perſons, did, in the Year One thouſand ſe-

ven hundred and fifty two, fit out Two Ships, called the Argyle and Campletoun, for the said Fishery, in the manner required by the said Acts; and which said Ships were actually employed in the said Fishery, and did return to this Kingdom with Three Whales; but by reason of an Omission or Mistake in making the Affidavits, and giving the Security required by the said Acts, the said Owners have not been able to obtain the proper Certificates for the Payment of the said Bounty; be it therefore enacted by the Authority aforesaid, That the Commissioners of His Majesty's Treasury for the time being, or any Three of them, shall be, and they are hereby impowered to direct, if they think fit, the Payment of the Bounties which the said Phillip How and others, would have been intitled to, in case they had complied with all the Forms and Regulations required by the said Acts of Parliament; any thing in the said Two several Acts contained to the contrary notwithstanding.

and also to *Phillip How*, &c.

FINIS.